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Before the  
Federal Communications Commission  
Washington, D.C. 20554

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In the Matter of

Amendment of Section 73.202(b),  
Table of Allotments,

FM Broadcast Stations.  
(Eminence, Rolla, Lebanon  
and Linn, Missouri)

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Federal Communications Commission  
Office of Secretary

MM Docket No. 01-151  
RM-10167  
RM-10567

To: Assistant Chief, Audio Division

**MOTION TO ACCEPT**  
**STATEMENT FOR THE RECORD**  
**REQUEST FOR EXPEDITED ACTION ON APPLICATION**  
**AND**  
**REQUEST TO UPDATE FM DATA BASE**

KDAA-KMOZ, LLC ("KKL"), by counsel, hereby files this Motion to Accept its Statement for the Record in the above-captioned docket (Rulemaking proceeding Nos. RM-10167 and RM-10567). KKL is licensee of Station KDAA, Channel 248A at Rolla, MO, that would be directly affected by the outcome of this proceeding.

Today, KKR is filing a Statement for the Record in this proceeding requesting action on KKR's application for minor change to KDAA (File No. BPH-20030701AMT) that has been pending for more than a year because it is interrelated with channel changes proposed in this docket. The litigation in this docket is ongoing and the Commission has not yet acted. KKL takes no position herein on how the subject matter of the litigation should be resolved, but notes for the record that the pendency of the rule making petitions has prevented action upon KKL's pending application (File No. BPH-20030701AMT) to relocate the antenna of KDAA, Rolla, MO, to the site shared by station KZNN, Rolla, MO, which is licensed to an affiliate of KKL.

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The purpose of the accompanying Statement is to request the Audio Division to promptly grant KKL's pending application for minor change to the facilities of KDAA conditioned upon the outcome of MM Docket 01-151; and, as of the date of filing this Statement for the Record, to update the FM database to protect the reference coordinates 37-52-39 NL, 91-44-45 WL for the use of both channels 248A and 276A at Rolla, MO. The Commission may accept this Statement as a matter within its discretion. See Section 1.415(d) of the Rules and *Winslow, Camp Verde, Mayer and Sun City West, Arizona*, 16 FCC Rcd 9551 (2001).

In light of the foregoing, KKL respectfully requests the Audio Division to accept its Statement for the Record.

Respectfully submitted,

**KDAA-KMOZ, LLC**

A handwritten signature in black ink, appearing to read 'Gary S. Smithwick', written over a horizontal line.

By: \_\_\_\_\_

Gary S. Smithwick  
Its Attorney

Smithwick & Belendiuk, P. C.  
5028 Wisconsin Avenue, NW, Suite 301  
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July 12, 2004

## CERTIFICATE OF SERVICE


I, Sherry L. Schunemann, do hereby certify that a copy of the foregoing "Motion to Accept Statement for the Record, Request for Expedited Action on Application and Request to Update FM Data Base" was mailed by First Class U.S. Mail, postage prepaid (or hand delivery, as marked with an asterisk), this 12th day of July, 2004, to the following:

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